



RULE 63 (37 C.F.R. 1.63)

**DECLARATION AND POWER OF ATTORNEY FOR PATENT APPLICATION
IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

As a below named inventor, I hereby declare that my residence, post office address and citizenship are as stated below next to my name, and I believe I am the original, first and sole inventor of the subject matter which is claimed and for which a patent is sought on the invention entitled **Transgenic Mice Containing Ubiquitin-Specific Protease Gene Disruptions**, the specification of which was filed on **July 11, 2001** under Serial No. **09/904,181**.

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above. I acknowledge the duty to disclose all information known to me to be material to patentability as defined in 37 CFR 1.56. I hereby claim foreign priority benefits under 35 U.S.C. 119/365 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate filed by me or my assignee disclosing the subject matter claimed in this application and having a filing date (1) before that of the application on which priority is claimed, or (2) if no priority claimed, before the filing date of this application:

PRIOR FOREIGN APPLICATION(S):			Date first Laid- open or Published	Date Patented or Granted:	Priority Claimed Yes <input type="checkbox"/> No <input type="checkbox"/>
Number	Country	Day/MONTH/Year Filed			

I hereby claim domestic priority benefit under 35 U.S.C. 119/120/365 of the indicated United States application listed below and PCT international application listed above and, if this is a continuation-in-part (CIP) application, insofar as the subject matter disclosed and claimed in this application is in addition to that disclosed in such prior applications, I acknowledge the duty to disclose all information known to me to be material to patentability as defined in 37 C.F.R. 1.56 which became available between the filing date of each such prior application and the national or PCT international filing date of this application:

PRIOR U.S. PROVISIONAL, NONPROVISIONAL AND/OR PCT APPLICATION(S)

Application No.:	Day/MONTH/Year Filed:	Status (pending, abandoned)	Priority Claimed?
60/217,350	July 11, 2001	Converted	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>
60/223,169	August 7, 2000	Converted	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>
60/301,214	June 26, 2001	Converted	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

I hereby appoint John E. Burke, Reg. 35,836; Robert J. Driscoll, Ph.D., Reg. 47,536; Jane K. Babin, Ph.D., Reg. 47,224; and Mariette A. Lapiz, Reg. 44,202, all of DeltaGen, Inc., 1003 Hamilton Avenue, Menlo Park, CA 94025, telephone number (650) 463-5836 (to whom all communications are to be directed), individually and collectively, as my attorneys to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith and with the resulting patent, and I hereby authorize them to add names of attorneys and/or patent agents as they see fit.

INVENTOR'S SIGNATURE: Date: Aug 8, 2001

Inventor's Name: **Michael W. LEVITEN**
Residence (City, State): **Palo Alto, California**
Post Office Address: **3166 Bryant Street**
Palo Alto, CA 94306

Country of Citizenship: **United States of America**